

Notice of Allowability

Application No.

09/992,018

Examiner

Dung Nguyen

Applicant(s)

TANAKA ET AL.

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Terminal disclaimer filed 10/27/2003.
2. ☒ The allowed claim(s) is/are 3, 4, 7, 8, 10 and 13-20.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/797,720.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☒ to Paper No. 03/10/03
 - (b) ☒ including changes required by the proposed drawing correction filed 06/09/03, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 3 <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____ | 7 <input type="checkbox"/> Examiner's Amendment/Comment |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

Dung Nguyen
Patent Examiner
Art Unit: 2871

DETAILED ACTION

Terminal Disclaimer

1. The terminal disclaimer filed on 10/27/2003 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of the copending application 09/797,720 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Examiner's Statement of Reasons for Allowance

2. Claims 3-4, 7-8, 10 and 13-20 are allowed.

3. The following is an examiner's statement of reasons for allowance:

None of the prior art of record suggests or discloses alone or in combination that a color liquid crystal display (LCD) panel comprising one substrate of a pair of substrates having thereon thin film transistor (TFT) elements, a pixel electrode connected to a wiring portion of the TFT elements and a color filter layer formed between the pixel electrode and an inorganic insulating layer for covering the wiring portion, wherein the color filter layer includes a lower light-transmission flatted layer and a primary-color-type colored filter pattern and is provided an opening through which a connection portion of the wiring portion of the TFT elements and the pixel electrode is penetrated as set forth in claims 3 and 4 or the color filter layer formed among a common electrode, the pixel electrode and the inorganic insulating layer and including a lower light-transmission flatted layer and a primary-color-type colored filter pattern are formed as set forth in claim 17.

The most relevant reference, Kadota et al. (US Patent No. 5,818,550), fail to disclose or suggest that a color filter layer including a lower light-transmission flatted layer and a primary-color-type colored filter pattern formed in an LCD panel. The Kadota et al. reference only discloses the color LCD panel having a pair of substrates, the color filter formed on an insulating layer covering wiring electrodes of a TFT element and a pixel electrode connected to the wiring electrodes through the insulating layer as claimed invention.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Nguyen whose telephone number is 703-305-0423. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on 703-305-3492. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

DN
11/14/2003


Dung Nguyen
Patent Examiner
Art Unit 2871